

United States Bankruptcy Court
Eastern District of Virginia
Alexandria Division

In Re:
Samuel R. Seward, Jr.
Debtor

BCN#: 17-12574-BFK
Chapter: 13

HSBC Bank USA, National Association as
Trustee for Wells Fargo Home Equity Asset-
Backed Securities 2005-1 Trust, Home
Equity Asset-Backed Certificates, Series
2005-1

Movant/Secured Creditor,

v.

Samuel R. Seward, Jr.
Debtor

Gail R. Jones
Codebtor

and

Thomas P. Gorman
Trustee
Respondents

**ORDER GRANTING IN REM RELIEF FROM STAY OF 11 U.S.C. §362(a) AND CO
DEBTOR STAY 11 U.S.C. Section 1301 (a) AS TO REAL PROPERTY COMMONLY
KNOWN AS 15416 KENNETT SQUARE, PRINCE GEORGE'S, MD 20613**

THIS MATTER came before the court September 6, 2017, on the Motion of HSBC Bank USA,
National Association as Trustee for Wells Fargo Home Equity Asset-Backed Securities 2005-1 Trust,
Home Equity Asset-Backed Certificates, Series 2005-1 for an Order granting it In Rem Relief from IT
Lindsey C. Kelly, Esquire
VSB #71314
Gregory N. Britto, Esquire
VSB #23476
William M. Savage, Esquire
VSB #26155
Malcolm B. Savage, III, Esquire
VSB #91050
Thomas J. Gartner, Esquire
VSB #79340
Mary F. Balthasar Lake, Esquire
VSB #34899
Shapiro & Brown, LLP
10021 Balls Ford Road, Suite 200
Manassas, VA 20109
(703) 261-7420
15-251175

IT FURTHER APPEARING to the Court, based on a review of the pleadings and argument of counsel, that the filing of the petition herein was part of a scheme to delay, hinder, or defraud creditors which involved multiple bankruptcy filings affecting the real property described hereinafter, pursuant to the provisions of 11 U.S. S Section 362(d)(4)(B).

IT IS, HEREBY, ADJUDGED, ORDERED, AND DECREED that the automatic stay imposed by 11 U.S.C. § 362(a), as well as the Co-Debtor stay imposed by 11 U.S.C. Section 1301 (a), are hereby modified so as to permit the Movant and its successors and assigns to enforce the lien of its deed of trust as it pertains to the real property located at 15416 KENNETT SQUARE WAY, Brandywine, MD 20613, and is more particularly described as follows:

Lot numbered Eighty-one (81), in Block lettered "E", in the subdivision known as "Plat of Correction, Plat Five, McKENDREE VILLAGE", as per plat thereof recorded among the Land Records of Prince George's County, Maryland, in Plat Book REP 197, at Plat 15.

IT IS, FURTHER ADJUDGED, ORDERED, AND DECREED, that an equitable servitude be created for a period of (2) two years days from entry of this Order, so that in the event of a future filing by the Debtor, the Co-Debtor, or any other person or entity claiming an interest in the property, the automatic stay of 11 U.S.C. § 362(a) as well as the Co-Debtor stay of 11 U.S.C. § 1301(a), shall not attach to the subject property and shall not create a stay as to this secured creditor and the enforcement of its security interest in the subject property

Sep 22 2017

Date

/s/ Brian F. Kenney

The Honorable Judge Brian F. Kenney
United States Bankruptcy Judge

Notice of Judgment or
Order Entered on Docket September 22, 2017

I ask for this:

/s/ Malcolm B. Savage, III

Lindsey C. Kelly, Esquire
Gregory N. Britto, Esquire
Malcolm B. Savage, III, Esquire
William M. Savage, Esquire
Thomas J. Gartner, Esquire
Mary F. Balthasar Lake, Esquire
Counsel for Movant

I certify that I have served the proposed Order upon all necessary parties to the action by first class mail, postage prepaid, on the ___18th____ day of __September____, 2017.

/s/ Malcolm B. Savage, III

Lindsey C. Kelly, Esquire
Gregory N. Britto, Esquire
Malcolm B. Savage, III, Esquire
William M. Savage, Esquire
Thomas J. Gartner, Esquire
Mary F. Balthasar Lake, Esquire
Counsel for Movant

Copies are to be sent to:

Shapiro & Brown, LLP
10021 Balls Ford Road, Suite 200
Manassas, VA 20109

Samuel R Seward, Jr
4192 Waterway Dr.
Dumfries, VA 22025

Thomas P. Gorman
300 N. Washington St. Ste. 400
Alexandria, VA 22314

Samuel R. Seward, Jr.
4192 Waterway Dr.
Dumfries, VA 22025

Gail R. Jones
15416 KENNETT SQUARE WAY
Brandywine, MD 20613